

Viren Mascarenhas

Partner

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Viren Mascarenhas is a partner in Milbank's New York office and a member of the firm's Litigation & Arbitration Group.

Primary Focus & Experience

Mr. Mascarenhas specializes in international arbitration (commercial, construction, and investment arbitration), public international law, and business and human rights.

He has nearly two decades of experience acting as counsel in domestic and international arbitration proceedings in a broad range of industries, including chemicals, energy (LNG, oil, nuclear, electricity, power, renewables), mining and metals, hospitality, life sciences, and luxury goods. He also has experience in private equity and M&A disputes arising under share purchase, joint venture, shareholder, and partnership agreements.

Mr. Mascarenhas' investment arbitration and commercial arbitration experience includes advising or representing energy and mining companies in investment treaty and commercial claims against Argentina, Azerbaijan, Bosnia-Herzegovina, Bolivia, Ecuador, India, Italy, Mexico, Nigeria, Peru, the Philippines, the Russian Federation, Timor-Leste, Uruguay, and Venezuela. He has represented Turkey in five investment arbitration matters and has advised governments on measures to take to avoid or settle potential investment arbitration disputes. Additionally, he has represented owners and contractors in construction arbitration disputes, especially concerning energy infrastructure projects. And he has substantial experience in US litigation relating to arbitration, including discovery, set-aside/annulment applications, and enforcement of awards, including for and against foreign sovereigns.

Mr. Mascarenhas' public international law experience includes advising governments and international organizations on a range of international law issues, such as international environmental law, climate change, transboundary harm, and human rights.

Recognition & Accomplishments

Mr. Mascarenhas has been ranked in the leading legal directories and industry publications:

- *Chambers USA* and *Chambers Global*: International Arbitration, 2020-2024. ("Sources regard him as "bright, capable and a really strong advocate"; "he is someone who has deep understanding of investment treaty arbitration and has vast experience in the field"; and "a lawyer you want in your corner.")
- *Legal 500*: International Arbitration, 2018 to 2024. ("[he] stands out for his additional specialization in public international law and human rights")
- *Lexology Index* Thought Leaders: USA 2025
- *Lexology Index*: Energy 2025
- *Lexology Index*: Arbitration 2025
- 2024 Lexology Awards: North America 2024, Litigation and Arbitration Award.
- 2024 Lexology Client Choice Awards, Arbitration & ADR, United States: New York.
- *Who's Who Legal*: Arbitration, 2017 to 2024.
- *The Best Lawyers in America*: International Arbitration - Commercial, 2024.
- *Lawdragon* 500 Leading Global Litigators, 2021 (inaugural list), 2023, 2024.
- National South Asian Bar Association (Rising Star among lawyers of South Asian descent in the United States practicing under the age of 40), 2019.
- *Euromoney* Legal Media Awards (Rising Star in commercial arbitration), 2019.
- *Latinvex* (Rising star for disputes in Latin America), 2019.
- *Crain's New York Business* ("40 Under 40" list of professionals in New York), 2019.
- American Bar Association (Finalist for National Most Outstanding Young Lawyer), 2016.
- *Law360* (Rising Star in Energy), 2015.
- *New York Law Journal* (Rising Star among attorneys practicing in New York under the age of 40), 2014.

Mr. Mascarenhas is a Fellow of the Chartered Institute of Arbitrators. He frequently sits as an arbitrator and has been appointed to the arbitral panels of the International Centre for Dispute Resolution (ICDR), the American Arbitration Association (AAA) and CPR. He is also a Lecturer-in-Law at Columbia Law School, where he teaches arbitration.

Prior to joining Milbank, he served as a law clerk to H.E. President Rosalyn Higgins at the International Court of Justice, and as a Legal Officer at the Special Court for Sierra Leone, a hybrid war crimes tribunal based in Freetown, Sierra Leone.

Mr. Mascarenhas has held several leadership roles in the international law and arbitration communities, including working with the Global Justice Center, Independent International Legal Advocates, the Cyrus R. Center for International Justice, the Justice Circle of Human Rights Watch, the International Centre for Dispute Resolution, and CPR International Institute. He also served as the co-chair of the Business & Human Rights Working Group of the New York City Bar Association (2019 to 2022).

Publications:

- Author, "Securing International Law Protections for Brazilian Outbound Investments Against Geopolitical Risks," Client Alert (2024)
- Author, "Protect Outbound German Investment Through Bilateral Investment Treaty Planning," Client Alert (2024)
- Author, "Enforcing Arbitral Awards Against Sovereigns in the United States: Recent DC Circuit Court Decision Limits a State's Defense of Sovereign Immunity," Client Alert (2024)

- Author, "When a Dollar Today May Be Worth More than Two Speculative Dollars Tomorrow: Unlocking the Value of Arbitral Awards Early through Monetization Finance," Client Alert (2024)
- Author, "Assessment of Stakeholder Options to Participate in Disputes Over Seabed Mining," *Cambridge University Press* (2024)
- Author, "Securing International Law Protections Against Geopolitical Risks for Canadian Outbound Investments Through Investment Treaties," Client Alert (2024)
- Author, "Use of 28 U.S.C. §1782 in US Courts to Obtain Discovery for Use in Enforcement and Collection Proceedings Worldwide," Client Alert (2024)
- Author, "Enforcement of non-US Arbitral Awards Against Third Parties in the United States," Client Alert (2024)
- Author, "Enforcing Foreign (non-US) International Arbitration Awards Against Award Debtors in the United States," Client Alert (2024)
- Author, "Execution and Discovery Tools Post-Recognition and Enforcement of Arbitral Awards in US Courts," Client Alert (2024)
- Author, "28 U.S.C. § 1782: Powerful Tool in the US to Obtain Discovery for Use in Foreign Proceedings," Client Alert (2024)
- Author, "Assessment of Stakeholder Options to Participate in Disputes Over Seabed Mining," *American Journal of International Law* (2024)
- Co-author, "International Arbitration Experts Discuss the Withdrawal of COVID-19 Restrictions," *Mealey's International Arbitration Report* (2023)
- "Professor Bermann: A Gateway to International Arbitration," in Reflections on International Arbitration: Essays in Honour of Professor George Bermann," *Juris* (2022)
- Co-author, "Top Ten Developments in Business and Human Rights in 2021," *The New York Law Journal* (2022)
- Co-author, "The EU Corporate Sustainability Due Diligence Directive," Client Alert (2022)
- Co-author, "National Contact Points in OECD Countries Promote Business & Human Rights in the Extractives Sector," Energy Newsletter (2021)
- Co-author, "Parent Cos. Can Expect More Suits Over Foreign Subsidiaries," *Law360* (2021)
- Co-author, "Top 10 Global Developments in Business and Human Rights in 2020," *The New York Law Journal* (2021)
- Co-author, "Update on Bangladesh Accord – And Its Global Apparel Impact," *Women's Wear Daily* (2019)
- Co-author, "Climate Change & Human Rights Risks to the Energy Industry: National Contact Points & Project Financing," Energy Newsletter (2019)
- Co-author, "Ivory Coast War Crime Acquittals Fuel Skepticism Of ICC," *Law360* (2019)
- Co-author, "International Law In 2018: Key Developments," *Law360* (2019)
- Co-author, "Top 10 Developments in Business and Human Rights in 2018," *New York Law Journal* (2019)
- Co-author, "How Palestine US Embassy Case Could Affect Int'l Law," *Law360* (2018)
- Co-author, "Energy Cos. Engage with A New Forum for Human Rights," *Law360* (2018)
- Co-author, "An Important New Resource on Human Rights Compliance," *Law360* (2018)
- Co-author, "SCOTUS Narrows Alien Tort Statute: Foreign Corporations Can't Be Sued in U.S. Court for Alleged Human Rights Violations Under ATS," *Bloomberg Law* (2018)
- Co-Author, "Stress Test," *India Business Law Journal* (2018)

- Co-author, "Disclosure and Confidentiality," *Handbook on Third Party Funding in International Arbitration* (2018)
- Co-Author, "Think Tank: Recent Arbitrations and the Future of the Bangladesh Accord. Labor unions settle two "socially conscious" arbitrations — but what does it mean?" *Women's Wear Daily* (2018)
- Co-author, "Landmark UK Case: Companies May Be Liable for Subsidiaries' Human Rights Abuses," *Corporate Counsel* (2018)
- Co-author, "Human Rights Benchmarks: A Primer for In-House Counsel," *Law360* (2018)

Recent Speaking Engagements:

- "Investment Arbitration's Response to the Climate Change Crisis" panel, University of Pennsylvania's 7th Annual International Arbitration Conference, March 2025
- "The Nuts and Bolts of Litigation Finance" panel, CPR Arbitration Committee Meeting, March 2025
- 2025 Arbitration Outlook Panel, Milbank and YSIAC, New York, January 2025
- "Suing States: An Update on Asset Recovery Against Sovereign Defendants" panel, Asset Recovery Asia, October 2024
- "The Post-Award Reality: Recognition and Enforcement Proceedings" panel, Colombia Arbitration Week, October 2024
- Mining Arbitration: Strategies & Expert Insights, World Mining Association Annual Mining Conference, Turkey, June 2024
- Climate Justice: Advisory Opinions in International Courts and Tribunals, Chartered Institute of Arbitrators, May 2024
- ISDS and Energy Transition: The Path Ahead, Stanford International Arbitration Association, April 2024
- ISDS Reform: Financing of a Standing Mechanism and an Advisory Center, Side Event of the 48th Session of UNCITRAL Working Group III, New York, April 2024
- 2024 California International Arbitration Week, March 2024
- Procedural Toolkit for Efficient and Cost-Effective Arbitration, Columbia Arbitration Day, New York, March 2024
- Non-Monetary Remedies in Energy Disputes, Energy Conference, American Bar Association, Houston, March 2024
- Fifth Annual Mining Investment North America Conference, November 2023
- ABILA-ASIL Roundtable on Cooperation & Compliance Through International Law & Institutions, International Law Weekend, October 2023
- It's Not Easy Being Green: The Cost of Doing ESG Business" Panel, October 2023
- Disputes Arising from Cross-Border Insolvencies and Restructurings, FIRE, Disputes & Investigations: Central Asia Conference, October 2023
- Energy Sector Construction Disputes in the Era of the New Global Energy Economy, Istanbul Arbitration Week, October 2023
- Supporting and Encouraging Investments in Critical Minerals as the Key to Clean Energy Future and Nations' National Security, Critical Minerals & Energy Investment North America Forum, September 2023
- Tell it to the Arbitrators and Arbitration Providers, NYSBA Arbitration Committee Meeting, New York, June 2023
- Current Issues and Trends in Arbitration for the Financial Services Industry, CPR Arbitration Committee, New York, May 2023

- Regulating States' Sovereign Rights under Today's Global Challenges, American Society of International Law Annual Meeting, Washington DC, April 2023
- Third-Party Funding in ISDS: TPFs Answer Your Questions, Side Event during UNCITRAL Working Group III Session, New York, March 2023
- Next Frontiers in Energy, Institute for Conflict Prevention & Resolution Annual Meeting, New Orleans, March 2023

ADDITIONAL DETAILS

EDUCATION

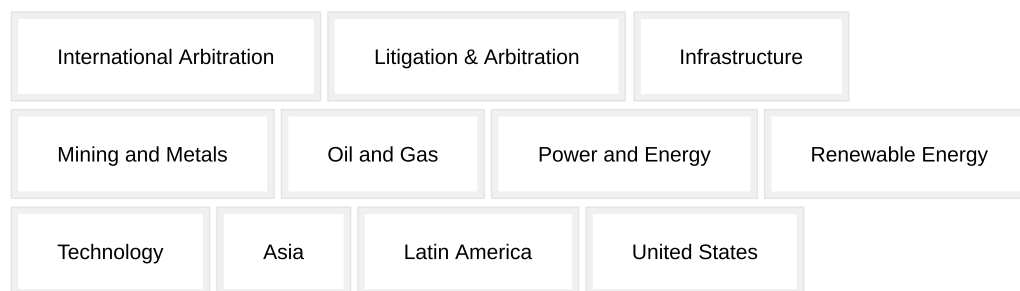
Columbia University, J.D.

University of London, LL.M.

ADMISSIONS

New York

EXPERIENCE



FEATURED NEWS

[International Arbitration Partner Viren Mascarenhas to Speak at American Society of International Law](#)

[Viren Mascarenhas to Speak at University of Pennsylvania's International Arbitration Conference](#)

[Milbank Partner Viren Mascarenhas Spoke on CPR Arbitration Committee Panel](#)

[Milbank Partner Viren Mascarenhas Hosts 2025 Arbitration Outlook Panel](#)

[Milbank Represents United States Council for International Business in Supreme Court Amicus Brief Filing Supporting Devas Limited](#)